

IN THE COURT OF COMMON PLEAS OF YORK COUNTY,
PENNSYLVANIA

SARA PICKETT	:	No. 2021-FC-001007-03
	:	
VS	:	
	:	
KRISTOFFER HEXTHER (via Zoom)	:	
	:	
VS	:	
	:	Status and Contempt
BRUCE HEXTHER	:	Hearing

York, PA, Tuesday, May 9, 2023
Before the Honorable N. Christopher Menges, Judge

APPEARANCES:

NO COUNSEL PRESENT
For the Plaintiff

NO COUNSEL PRESENT
For the Defendant

BRANDY G. HOKE, Esquire
For the Intervenor

* * *

TRANSCRIPT OF PROCEEDINGS

* * *

Reported by:

Bethany J. Riley
Official Court Reporter

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10:37:55 1 * * *

10:37:55 2 THE COURT: All right. Mr. Hexter, can

10:38:04 3 you hear me okay?

10:38:06 4 THE FATHER: Yes, Your Honor.

10:38:07 5 THE COURT: Great. All right.

10:38:10 6 Ms. Pickett? All right.

10:38:13 7 Mr. Hexter, Attorney Hoke?

10:38:16 8 ATTORNEY HOKE: Yep.

10:38:17 9 THE COURT: I heard someone wants to

10:38:19 10 continue the matter.

10:38:20 11 THE MOTHER: Yes, Your Honor. I would

10:38:22 12 just like another maybe two weeks to find counsel for

10:38:25 13 this situation, please.

10:38:26 14 ATTORNEY HOKE: And I'm going to object

10:38:28 15 to that, Your Honor. She's had 30 days to find

10:38:33 16 counsel.

10:38:33 17 THE COURT: Well, the question that I

10:38:39 18 have is Grandfather here has set forth, in quite some

10:38:46 19 detail, a number of allegations of contempt. Some of

10:38:54 20 those involve phone calls, records. Is the situation

10:38:59 21 getting any better or is it just as bad as it was?

10:38:59 22 Let's ask that question.

10:39:03 23 ATTORNEY HOKE: I think it's just as bad

10:39:04 24 as it was. In fact, Mother is now holding

10:39:08 25 Grandfather's time altogether. His last visit he was

10:39:11 1 supposed to have on April 22nd, she did not relinquish
10:39:11 2 the children. Looking back at the Court's prior
10:39:18 3 Orders, going back to even June of last year, this has
10:39:18 4 been an ongoing problem with Mother.

10:39:20 5 THE COURT: What happened on April 22nd,
10:39:21 6 ma'am?

10:39:22 7 THE MOTHER: I'm going to decline to
10:39:25 8 speak without counsel, Your Honor.

10:39:30 9 ATTORNEY HOKE: My client can summarize
10:39:32 10 what happened if the Court would like to hear it.

10:39:40 11 THE COURT: The petition for contempt
10:39:52 12 I'm looking at, it appears to have been clocked in on
10:39:57 13 April 10th of 2023. It's a month ago. When did you
10:40:02 14 get this petition?

10:40:05 15 THE MOTHER: Your Honor, I received the
10:40:07 16 petition when I found your -- when I picked up your
10:40:11 17 response -- or the denial to the recusal is when I
10:40:15 18 found out that that had been entered, and when I had
10:40:18 19 spoken with Attorney Bagnato, who is my attorney on
10:40:21 20 file, he affirmed that he has not received anything
10:40:24 21 such as a notice to appear or anything of that nature
10:40:28 22 on my behalf.

10:40:30 23 THE COURT: What proof of service do you
10:40:32 24 have?

10:40:32 25 ATTORNEY HOKE: There's a certificate of

10:40:34 1 service that was done by Attorney Harshberger's
10:40:38 2 paralegal where prior counsel was served by e-mail as
10:40:41 3 well as by first-class mail, and that was done on the
10:40:44 4 date that it was filed.

10:40:51 5 THE COURT: Attorney Bagnato, is that
10:40:56 6 your attorney?

10:40:56 7 THE MOTHER: He was my attorney. That's
10:40:58 8 correct.

10:40:58 9 THE COURT: Has Attorney Bagnato's
10:41:06 10 appearance been withdrawn of record?

10:41:08 11 ATTORNEY HOKE: I believe so.

10:41:09 12 THE MOTHER: Yes. I have entered my
10:41:11 13 appearance as pro se because I could not come to this
10:41:15 14 hearing pro se -- well, without an attorney when I
10:41:17 15 didn't have an attorney retained. I'm sorry. I'm
10:41:21 16 having trouble speaking.

10:41:22 17 THE COURT: It's okay. When did you
10:41:24 18 enter your appearance pro se?

10:41:28 19 THE MOTHER: That would have been on
10:41:30 20 Friday, May 5th, I believe was the date.

10:41:34 21 THE COURT: So until May 5th, Attorney
10:41:37 22 Bagnato did represent you?

10:41:38 23 THE MOTHER: Yes. He was on file as my
10:41:42 24 attorney on record or whatever that's called. I'm
10:41:45 25 sorry.

10:41:45 1 THE COURT: Okay. Well, a certificate
10:41:47 2 of service appears to be in order. It appears you were
10:41:52 3 properly served with the petition for contempt on or
10:41:57 4 about April 6, 2023. So your request -- well, let's
10:42:03 5 hear from Father.

10:42:04 6 Mr. Hexter, do you have a position on
10:42:06 7 this continuance?

10:42:08 8 THE FATHER: I don't see why it should
10:42:14 9 be continued. Ms. Pickett had plenty of time to seek
10:42:18 10 additional counsel.

10:42:18 11 THE COURT: All right. Your request for
10:42:20 12 a continuance is denied. So we're going to go ahead
10:42:23 13 and have a hearing.

10:42:24 14 Attorney Hoke, you ready?

10:42:26 15 THE MOTHER: Do what you're going to do.

10:42:26 16 THE COURT: I'm sorry, Ms. Pickett.
10:42:26 17 What did you say?

10:42:26 18 THE MOTHER: I said, okay, do what you
10:42:30 19 are going to do. At this point, I'm going to plead the
10:42:33 20 Fifth. I will not participate. They have not entered
10:42:35 21 any sort of evidence, which apparently there are
10:42:37 22 evidentiary requirements when you file something with
10:42:38 23 the Court, as well as burden of proof, so they have not
10:42:41 24 -- their petition to intervene nor would the petition
10:42:44 25 for contempt provide any sort of evidence to the Court

10:42:46 1 to suggest that anything of this nature is actually
10:42:50 2 happening.

10:42:50 3 THE COURT: Okay. Attorney Hoke, you
10:42:52 4 ready?

10:42:52 5 ATTORNEY HOKE: I'm ready.

10:42:52 6 THE COURT: Go ahead.

10:42:52 7 ATTORNEY HOKE: Okay. I would call
10:42:53 8 Grandfather, Bruce Hexter, please.

10:43:01 9 THE COURT: All right.

10 * * *

11 BRUCE HEXTHER,

12 called as a witness,

13 having been duly sworn according to law,

14 testified as follows:

15 * * *

16 THE CLERK: Please state and spell your
17 name for the Court.

10:43:33 18 THE GRANDFATHER: Bruce Hexter,

10:43:35 19 H-E-X-T-E-R.

10:43:35 20 * * *

10:43:35 21 DIRECT EXAMINATION

10:43:35 22 BY ATTORNEY HOKE:

10:43:37 23 Q. Thank you. And can you confirm your address
10:43:39 24 for the record?

10:43:39 25 A. 1472 Bramblewood Court, Pottstown, PA.

10:43:45 1 Q. And you are Grandfather to the subject minor
10:43:45 2 child?

10:43:47 3 A. Correct.

10:43:49 4 Q. And currently you are under custody orders
10:43:54 5 from April 7th of 2022, June 2022, and September of
10:44:00 6 2022. Is that correct?

10:44:01 7 A. Correct.

10:44:02 8 Q. Okay. Under those orders, can you state what
10:44:05 9 physical rights you have to the children?

10:44:08 10 A. The rights I have for the children, I was
10:44:11 11 supposed to get the children on the second and fourth
10:44:13 12 Saturdays of each month from 9 A.M. until 7 P.M., and
10:44:20 13 also have phone contact with both children on the
10:44:24 14 first, third and if there is a fifth Monday of each
10:44:29 15 month at 6 P.M.

10:44:32 16 Q. And what are your legal rights to the
10:44:34 17 children under those Orders?

10:44:36 18 A. I get the kids and take them out, have an
10:44:40 19 enjoyable day with them, and then take them back to the
10:44:43 20 Mother.

10:44:45 21 Q. What is your access -- do you have access
10:44:46 22 under the current Orders to any of the children's
10:44:49 23 medical or educational records?

10:44:52 24 A. I am supposed to have them, but I have not
10:44:55 25 received any information on any of that since the very

10:45:00 1 original court hearing.

10:45:01 2 Q. And just to be clear, Mother has sole legal
10:45:04 3 of both children, correct?

10:45:06 4 A. Correct.

10:45:06 5 Q. Okay. But she's supposed to share
10:45:08 6 information with you regarding those things under the
10:45:10 7 Orders?

10:45:10 8 A. Correct. And we are also supposed to be --
10:45:15 9 contact through OurFamilywizard with Judge Menges'
10:45:19 10 Orders, which I wound up paying the full amount of
10:45:22 11 \$300, and that I have not been given the 150 back from
10:45:29 12 Ms. Pickett.

10:45:30 13 Q. Does Mother communicate with you using
10:45:33 14 OurFamilywizard?

10:45:34 15 A. I haven't received, I believe, from when we
10:45:37 16 started this approximately two to maybe three messages,
10:45:40 17 period. And each one of them were basically saying,
10:45:44 18 you don't have the rights -- have any rights with them.

10:45:49 19 Q. Let's start with the phone calls. Have there
10:45:52 20 been times going back to -- let's just look over since
10:45:56 21 the Order of June of last year. Have there been times
10:46:00 22 that Mother has denied you access to the children by
10:46:04 23 phone?

10:46:04 24 A. Correct. I've called many of times, and when
10:46:08 25 I do get the -- actually get an answer, which is rare,

10:46:13 1 it's been -- I've only talked to [R.H.] I'd say 95
10:46:20 2 percent of the time. If I do get [A.P], it's only
10:46:25 3 brief, and, in fact, the last time I actually tried
10:46:28 4 calling, the kids told me they get their baths around
10:46:34 5 6:30 at night. The last time I called, I called at 6
10:46:39 6 o'clock, called back again with no answer at 6, leave a
10:46:42 7 message, call back at 6:15, no answer. At 6:19, I get
10:46:47 8 a call back. I said, oh, hey, how you doing, [R.H.],
10:46:51 9 what are you up to, and he told me he was playing with
10:46:53 10 a game and everything. I said, where's [A.P]? Oh,
10:46:57 11 she's getting her tubby already. I said, oh, I guess
10:47:00 12 mommy must have put her in the tub so she didn't have
10:47:04 13 to talk to me. Sara got on the phone, that's it, we're
10:47:08 14 done, and hung up.

10:47:10 15 Q. Do you recall what date that was? Was that
10:47:13 16 this past Monday or the Monday before?

10:47:17 17 A. That was the Monday -- the third Monday, I
10:47:25 18 believe it was, in April.

10:47:28 19 Q. Okay. Has there been other occasions where
10:47:32 20 Mother has interrupted your phone calls with the
10:47:32 21 children?

10:47:33 22 A. A couple of times.

10:47:34 23 Q. What does she say when she interrupts these
10:47:37 24 phone calls with the children?

10:47:39 25 A. Told me I'm a pedophile and stuff like that

10:47:42 1 on the phone. Calling me all kinds of different names
10:47:45 2 like that.

10:47:45 3 THE COURT: In front of the children?

10:47:46 4 THE WITNESS: I believe the children are
10:47:48 5 in front of her because I was talking to the kids and
10:47:51 6 she took the phone off of them.

10:47:55 7 THE COURT: Go ahead.

10:47:55 8 BY ATTORNEY HOKE:

10:47:57 9 Q. Thank you. So to follow up on that, have
10:48:01 10 there been other instances outside of these phone calls
10:48:04 11 that you're aware of that Mother has made derogatory
10:48:07 12 comments about you or about Father to the children?

10:48:10 13 A. I know that the kids have told me how mommy
10:48:13 14 tells us she doesn't like you, mommy hates you, etc.,
10:48:16 15 like that. And, in fact, the last time I came to pick
10:48:20 16 them up, which was the Saturday before Easter, the kids
10:48:24 17 got into the truck with me and said, when you got here,
10:48:29 18 mommy was sitting there, and she saw you come up, and
10:48:33 19 she gave you the finger out the window. That's bad,
10:48:37 20 isn't it, Pop Pop? I said, that's very bad.

10:48:40 21 Q. Okay.

10:48:46 22 A. I've had the kids out a couple of times, once
10:48:52 23 at a playground. They met a woman there with her
10:48:55 24 daughter, turns around and said to the kids -- the kids
10:48:59 25 were playing with her daughter and everything. Next

10:49:02 1 thing you know, they're up talking to the lady, said to
10:49:05 2 the lady, I wish I could stay with Pop Pop. I don't
10:49:09 3 want to go home to mommy. They actually said that to a
10:49:14 4 couple other people that I know that I met.

10:49:18 5 Q. If you had to, going back since the last
10:49:21 6 Order, going back to June, would you say that your
10:49:25 7 contact with the children is -- is it -- strike.

10:49:31 8 Okay. Going back to June from the last Order
10:49:35 9 with your phone calls with the children, do you more
10:49:38 10 consistently have contact with them or were they more
10:49:42 11 frequently denied?

10:49:43 12 A. With the phone calls?

10:49:43 13 Q. Yeah.

10:49:44 14 A. Half and half, I would say.

10:49:46 15 Q. Okay. Regarding the children's medical
10:49:52 16 status, since the beginning of the school year, we'll
10:49:57 17 say August of last year, has Mother informed you of any
10:50:04 18 doctor's appointments she's taken the children to?

10:50:06 19 A. None.

10:50:07 20 Q. Has she told you of any dental appointments
10:50:09 21 she's taken the children to?

10:50:10 22 A. None.

10:50:11 23 Q. Have the children said anything about going
10:50:13 24 to the doctor?

10:50:14 25 A. They said mommy said she was going to take

10:50:17 1 them to the eye doctor or the dentist a couple times
10:50:19 2 but have not gotten us there yet.

10:50:23 3 Q. Have the children complained to you about
10:50:26 4 physical ailments?

10:50:28 5 A. My grandson, [R.H.], actually said to me a
10:50:30 6 couple times, I have a toothache, Pop Pop. I have a
10:50:34 7 cavity is actually what he said.

10:50:34 8 Q. Okay.

10:50:39 9 A. And I noticed a couple times him holding a
10:50:43 10 paper like six, eight inches from his face trying to
10:50:47 11 read it. I said, I think you need glasses. He said,
10:50:51 12 yeah, mommy said she's going to take us for glasses but
10:50:54 13 never has.

10:50:55 14 Q. Regarding the children's educational status,
10:50:58 15 going back to the beginning of the school year, has
10:51:02 16 Mother provided you copies of any report cards for
10:51:05 17 either of the children?

10:51:07 18 A. Nothing. From what I understand, the report
10:51:10 19 cards are done electronically, and she has never given
10:51:15 20 me the access to the school report cards to get their
10:51:20 21 progresses.

10:51:22 22 Q. And in the last order, Mother was directed to
10:51:24 23 turn over the log-in information for the portal,
10:51:24 24 correct?

10:51:27 25 A. Correct.

10:51:27 1 Q. And that never happened?

10:51:29 2 A. Never happened.

10:51:30 3 Q. Has she ever told you about upcoming teacher

10:51:34 4 conferences for either children?

10:51:36 5 A. Never.

10:51:37 6 Q. Back-to-school nights?

10:51:38 7 A. Never.

10:51:39 8 Q. School events?

10:51:40 9 A. Never.

10:51:41 10 Q. Are the children involved in any other school

10:51:41 11 related or extracurricular activities that you are

10:51:44 12 aware of?

10:51:44 13 A. Not that I'm aware of.

10:51:46 14 Q. Okay. And you're seeking counsel fees today

10:51:58 15 regarding the contempt allegations?

10:52:02 16 A. Am I seeking --

10:52:04 17 Q. Counsel fees, yes.

10:52:04 18 A. Yes, I am.

10:52:05 19 Q. Do you know approximately how much in counsel

10:52:08 20 fees that you incurred from this?

10:52:11 21 A. From what I understand, it's approximately

10:52:13 22 \$750 or more.

10:52:14 23 ATTORNEY HOKE: Okay. All right. I

10:52:16 24 don't have any other questions, Your Honor.

10:52:17 25 THE COURT: Ms. Pickett, do you have

10:52:19 1 questions of this witness?

10:52:21 2 THE MOTHER: Yes.

10:52:21 3 * * *

10:52:21 4 CROSS-EXAMINATION

10:52:21 5 BY THE MOTHER:

10:52:22 6 Q. Do you have any evidence or only hearsay?

10:52:25 7 A. Evidence or hearsay in reference to?

10:52:29 8 Q. Any of the claims that you've made.

10:52:32 9 A. They're all the claims I made, which how can
10:52:36 10 I make the evidence when I don't have records of phone
calls? I don't have records of the kids talking to me.
10:52:39 11 There's no physical evidence of that, but it's all --
10:52:43 12

10:52:47 13 Q. So you did not obtain phone records to submit
10:52:51 14 as evidence to prove your claims?

10:52:53 15 A. Oh, it's on my phone as far as the phone
10:52:55 16 calls that I made, which shows me three seconds, five
10:52:59 17 seconds, 20 seconds with the denied phone call, with
10:53:01 18 the no answers.

10:53:03 19 THE MOTHER: Okay. So no evidence. No
10:53:04 20 further questions, Your Honor.

10:53:05 21 THE COURT: I have a question, sir.

10:53:07 22 THE WITNESS: Yes.

10:53:07 23 THE COURT: If this situation is so
10:53:12 24 dire, why have you not filed for modification to get
10:53:16 25 more custodial time with the children?

10:53:18 1 THE WITNESS: I've asked my lawyer to
10:53:21 2 possibly do that, and he said he wanted to wait until
10:53:24 3 we had this hearing.

10:53:24 4 THE COURT: Okay. Fair enough. Any
10:53:26 5 other questions of this witness?

10:53:27 6 ATTORNEY HOKE: No, Your Honor.

10:53:28 7 THE COURT: You may stand down. Thank
10:53:30 8 you.

10:53:30 9 oh, I'm sorry. You may not stand down.
10:53:33 10 Mr. Hexter on Zoom, forgive me. Do you have questions
10:53:37 11 of this witness.

10:53:38 12 THE FATHER: I do not, Your Honor.

10:53:39 13 THE COURT: Okay. Now you can stand
10:53:42 14 down.

10:53:43 15 Attorney Hoke, any other witnesses?

10:53:43 16 ATTORNEY HOKE: No, Your Honor.

10:53:44 17 THE COURT: Okay. Ms. Pickett, do you
10:53:48 18 have any witnesses you want to call?

10:53:51 19 THE MOTHER: No, Your Honor.

10:53:52 20 THE COURT: You don't want to testify?

10:53:55 21 THE MOTHER: No, Your Honor.

10:53:56 22 THE COURT: You know there is no right
10:54:00 23 to not self-incriminate in a civil case.

10:54:05 24 THE MOTHER: That's fine. I do not wish
10:54:06 25 to testify, Your Honor. Thank you.

10:54:07 1 THE COURT: Well, I've got a question
10:54:13 2 for you. I have to ask you, Ms. Pickett, and that is
10:54:16 3 about how much do you make -- where do you work? Let's
10:54:20 4 start with that. Where do you work?

10:54:20 5 THE MOTHER: I'm currently
10:54:24 6 self-employed.

10:54:24 7 THE COURT: What do you do as a
10:54:26 8 self-employed person?

10:54:27 9 THE MOTHER: I typically -- I would say
10:54:30 10 I am a business manager. That's the simplest way to
10:54:33 11 put it.

10:54:33 12 THE COURT: Well, what does that look
10:54:34 13 like?

10:54:35 14 THE MOTHER: It depends on the company.
10:54:36 15 Right now I work for a company where -- it is an online
10:54:40 16 coaching company. Typically what I would do is I run
10:54:43 17 the client retention team for them. And what we do is
10:54:47 18 we handle the accounts receivables, you know, following
10:54:50 19 up on any declined orders during events, organizing the
10:54:54 20 back end for the billing and the accounts receivables
10:54:58 21 and things like that.

10:54:59 22 THE COURT: So you are a consultant to
10:55:01 23 several other companies?

10:55:02 24 THE MOTHER: I guess that's a fair way
10:55:05 25 to put it.

10:55:06 1 THE COURT: How much do you expect to
10:55:09 2 earn in the year 2023 from your business?

10:55:13 3 THE MOTHER: I honestly couldn't tell
10:55:16 4 you.

10:55:16 5 THE COURT: Well, how much did you earn
10:55:18 6 in 2022?

10:55:19 7 THE MOTHER: About \$50,000.

10:55:22 8 THE COURT: Okay. Think 2023 will be
10:55:24 9 the same, better, or worse? Any idea?

10:55:26 10 THE MOTHER: Probably the same.

10:55:29 11 THE COURT: Okay. All right, thank you.

10:55:37 12 THE MOTHER: Never mind.

10:55:38 13 THE COURT: No, go ahead.

10:55:40 14 THE MOTHER: No, I don't have anything
10:55:41 15 to say.

10:55:41 16 THE COURT: Are you sure?

10:55:42 17 THE MOTHER: Yeah. I'm certain.

10:55:44 18 THE COURT: Mr. Hexter on Zoom, do you
10:55:47 19 have any witnesses you want to testify? You want to
10:55:49 20 say anything at all?

10:55:51 21 THE FATHER: No, Your Honor.

10:55:52 22 THE COURT: Okay. All right. In this
10:56:00 23 matter, the Court has before it a petition for
10:56:05 24 contempt. Additionally, there was to be a follow-up
10:56:10 25 hearing scheduled last year, and an appeal to the

10:56:17 1 Superior Court sort of derailed that, but the Court did
10:56:25 2 mention in a prior Order that the Court might consider
10:56:27 3 giving Grandfather more rights.

10:56:34 4 In any event, the Court Order is as
10:56:37 5 follows:

10:56:37 6 1. Mother, Sara Pickett, is found in
10:56:41 7 contempt for not having the children have phone contact
10:56:47 8 with Grandfather regularly as set forth in the order.

10:56:50 9 2. Mother is found in contempt for not
10:56:53 10 providing medical, educational, and other records for
10:56:58 11 the children to the Grandfather.

10:57:00 12 3. Mother is found in contempt for not
10:57:04 13 paying Grandfather the reimbursement of \$150 for half
10:57:11 14 of the OurFamilywizard.

10:57:19 15 4. Mother is found in contempt for not
10:57:22 16 participating in OurFamilywizard in a meaningful way.

10:57:27 17 5. The sanctions for these four grounds
10:57:38 18 of contempt are as follows:

10:57:43 19 A. Legal custody is now joint between
10:57:47 20 Grandfather, Bruce Hexter, and Mother, Sara Pickett.
10:57:52 21 Neither party will schedule any appointments,
10:58:00 22 educationally, medically, or otherwise, without the
10:58:05 23 unanimous consent between the two of them as joint
10:58:09 24 legal custodians.

10:58:14 25 B. Since Grandfather has not had

10:58:20 1 sufficient phone contact with the two children, he gets
10:58:25 2 make-up time for that, and that make-up time will
10:58:34 3 consist of a Saturday from 9 A.M. until 7 P.M. as an
10:58:42 4 extra Saturday of partial custody, which will be on the
10:58:46 5 third Saturday of June, that being June 17, 2023. To
10:58:54 6 be clear, Grandfather already is to have the second
10:59:01 7 Saturday, that being June 10th, and the fourth
10:59:04 8 Saturday, that being June 24th, per the prior operative
10:59:08 9 order, but in addition to that, he will have the third
10:59:12 10 Saturday of June, that being June 17, 2023, again, from
10:59:20 11 9 A.M. to 7 P.M.

10:59:45 12 C. Because Mother has not provided
10:59:50 13 sufficient contact with Grandfather as per the
10:59:54 14 operative Order within 20 days of today, Mother will
11:00:00 15 buy, at her own expense, a cell phone for the children,
11:00:05 16 which shall be their cell phone, and they shall be in
11:00:09 17 possession of said cell phone.

11:00:11 18 The cell phone, of course, is not to be
11:00:14 19 a smart phone that will enable the children to get on
11:00:18 20 the internet or any of those sorts of things, but will
11:00:21 21 be a cell phone sufficient that they may call
11:00:24 22 Grandfather whenever they wish and that Grandfather may
11:00:28 23 call them as set forth already in the operative orders.

11:00:35 24 Mother will continue to pay the monthly
11:00:38 25 fee for that cell phone, and Mother will not take that

11:00:41 1 cell phone away from the children under any
11:00:43 2 circumstances.

11:00:45 3 D. All other provisions set forth in
11:00:54 4 prior orders, including, but not limited to, the order
11:00:57 5 of April 7, 2022, and the Order of June 2, 2022, and
11:01:03 6 the Order of September 6, 2022, remain in full force
11:01:08 7 and effect, and Mother is to obey those.

11:01:18 8 Specifically, Mother, at the very least,
11:01:20 9 is supposed to also provide Grandfather with school
11:01:25 10 portals, passwords, etc., so that he may get the
11:01:32 11 children's school information. That is in addition to
11:01:36 12 and not instead of all the provisions set forth.

11:01:40 13 E. Mother will within 120 days of today
11:01:54 14 reimburse Grandfather the sum of \$750 in attorney's
11:01:58 15 fees.

11:02:02 16 F. In the event that Mother does not
11:02:10 17 comply with any of these additional provisions and/or
11:02:18 18 Mother does not comply with prior orders in this
11:02:25 19 matter, and upon a petition for contempt being
11:02:28 20 presented in this Court, the Court warns Mother that if
11:02:33 21 she might be found in contempt in the future, then
11:02:37 22 incarceration would be very likely. And that
11:02:41 23 incarceration could be immediate, meaning that if there
11:02:45 24 is a future contempt hearing and Mother is found in
11:02:50 25 contempt at that hearing, Mother may be taken directly

11:02:53 1 to jail from the hearing, and Mother is warned of that.

11:02:57 2 The Court is saddened that Mother
11:03:04 3 doesn't seem to have a proper respect for Court Orders
11:03:12 4 and for the Court in general, and implores and orders
11:03:16 5 Mother to comply with all orders of Court in this
11:03:20 6 matter as set forth herein and in prior orders.

11:03:27 7 By the Court. Copy to Attorney
11:03:34 8 Harshberger, Joshua Scott Harshberger. Copy to Father,
11:03:42 9 Kristoffer Hexter.

11:03:44 10 What address do you want that mailed to,
11:03:47 11 sir?

11:03:48 12 THE FATHER: The 1200 Mokychic, Your
11:03:48 13 Honor.

11:03:48 14 THE COURT: Can you recite that for the
11:03:48 15 court reporter, please?

11:03:57 16 THE FATHER: 1200 Mokychic
11:04:03 17 M-O-K-Y-C-H-I-C Drive, Collegeville, Pennsylvania
11:04:09 18 19426.

11:04:09 19 THE COURT: Is there an inmate number or
11:04:10 20 anything that should be attached to that?

11:04:12 21 THE FATHER: QL4504. Your Honor, if I
11:04:20 22 may, the last correspondence you tried to send me was
11:04:23 23 not properly coded so it was kicked back to you.

11:04:26 24 THE COURT: All right. What was that
11:04:27 25 code number again so the court reporter is sure to have

11:04:30 1 it and give it to the prothonotary?

11:04:31 2 THE FATHER: Well, it's a separate code
11:04:35 3 number. It's a OGN, not the state ID number.

11:04:39 4 THE COURT: All right. So what needs to
11:04:41 5 be on the envelope?

11:04:41 6 THE FATHER: There's a courts and
11:04:45 7 attorney code and time code that should be put on the
11:04:50 8 envelope. The correspondence prior to this last one
11:04:53 9 did have that code, but the last one that was attempted
11:04:57 10 to be received on this past Friday was denied.

11:05:00 11 THE COURT: All right. And copy, of
11:05:07 12 course, to Mother, Sara Pickett. What address do you
11:05:10 13 want that mailed to you, ma'am?

11:05:11 14 THE MOTHER: 2159 White Street, Suite 3,
11:05:20 15 Box 142, York, PA 17404.

11:05:26 16 THE COURT: Okay. Ma'am, do you have
11:05:28 17 any questions?

11:05:32 18 THE MOTHER: No, I think I'm okay, Your
11:05:35 19 Honor.

11:05:35 20 THE COURT: All right. You understand
11:05:36 21 what you got to do?

11:05:37 22 THE MOTHER: Understood.

11:05:39 23 THE COURT: Okay. All right.

11:05:41 24 ATTORNEY HOKE: Your Honor, just
11:05:42 25 briefly, is the change in legal custody, since it's

11:05:45 1 switching from sole to joint, done in consideration
11:05:46 2 with the custody factors?

11:05:48 3 THE COURT: Candidly, it's done because
11:05:52 4 the Court wants to enforce its Order that Grandfather
11:05:56 5 receive the medical and educational and so forth
11:06:00 6 information. It would appear the only way to make that
11:06:04 7 happen is to award him joint legal custody. So it's an
11:06:08 8 enforcement sanction --

11:06:11 9 THE MOTHER: So he does not have
11:06:13 10 standing under 5324 for legal custody?

11:06:16 11 THE COURT: I'm sorry, Ms. Pickett,
11:06:17 12 forgive me. What'd you say?

11:06:18 13 THE MOTHER: I said, so he does not have
11:06:20 14 standing under 5324 for legal custody and has not
11:06:23 15 presented anything to gain that, correct? That's my
11:06:26 16 understanding.

11:06:26 17 THE COURT: I did not make a
11:06:28 18 determination under 5324 or 5325. It's a sanction.

11:06:31 19 THE MOTHER: Thank you.

11:06:32 20 THE COURT: Anything else, Attorney
11:06:34 21 Hoke?

11:06:35 22 ATTORNEY HOKE: No.

11:06:36 23 THE COURT: Anything else, Ms. Pickett?

11:06:36 24 THE MOTHER: No, no, I'm good.

11:06:38 25 THE COURT: All right. Everyone is

11:06:39 1 excused. Thank you very much.

11:06:39 2 ATTORNEY HOKE: Hold on. So she has an
11:06:41 3 address other than the one that she just cited?

11:06:45 4 THE MOTHER: No.

11:06:45 5 THE COURT: Do you want to provide an
11:06:47 6 e-mail address to Attorney Hoke?

11:06:47 7 THE MOTHER: Everything is on file with
11:06:49 8 the Court. I filed everything for my pro se. They
11:06:51 9 have my e-mail address, my address, I filed everything
11:06:54 10 that was required to be provided to the Court.

11:06:55 11 THE GRANDFATHER: Have you moved?

11:06:57 12 THE MOTHER: No.

11:06:57 13 THE COURT: All right. Everyone is
11:06:59 14 excused. Thank you.

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16 END OF HEARING

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C E R T I F I C A T I O N

I hereby certify that the proceedings and evidence are contained fully and accurately in the notes taken by me on the hearing of the above cause and that this copy is a correct transcript of the same.

Bethany Riley

BETHANY J. RILEY
Official Court Reporter